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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,906	12/27/2001	Shin Kuwabara	K&Y-166	1234
20374	7590	10/24/2003	EXAMINER	
KUBOVCIK & KUBOVCIK SUITE 710 900 17TH STREET NW WASHINGTON, DC 20006			TRAN, THAO T	
			ART UNIT	PAPER NUMBER
			1711	

DATE MAILED: 10/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/026,906

Applicant(s)

KUWABARA, SHIN

Examiner

Thao T. Tran

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 2 and 16-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Ikuhara (JP 2000-250420).

In regards to claims 2, 27, Ikuhara teaches a front plate for an image display device, the front plate comprising transparent supports, an electromagnetic wave and infrared cover layer, a filter layer; wherein the infrared shielding layer, and a filter layer; wherein the infrared shielding layer contains a resin mixture containing a near infrared absorbing dye, and the filter layer contains a combination of dyes absorbing a wavelength range of 560-620 nm and near-infrared region, and a binder polymer (an adhesive) (see abstract; paragraphs 0008-0009, 0015-0016).

In regards to claims 25-26, Ikuhara teaches the transparent substrate being made from polycarbonate or polyesters (see paragraphs 0008).

In regards to claims 16-24, Ikuhara teaches the dye absorbing a wavelength range of 560-620 nm having the same formulae as recited in the instant claims (see paragraphs 0019, 0026, 0032-0034).

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3. Claims 1-4, 9-11, 25-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Okamura et al. (US Pat. 6,104,530).

Okamura teaches a transparent laminate for an optical filter for display, the laminate comprising a transparent substrate, a transparent molded article, a transparent protective layer, transparent adhesive layers; wherein a near infrared absorbing dye is present (see abstract; col. 23, ln. 60 to col. 24, ln. 15).

Okamura further teaches the transparent substrate being made of polycarbonate or polyester (see col. 6, ln. 24-29), and the adhesive layer further containing a dye absorbing wavelength region of 500-600 nm (see Example 9).

Okamura teaches the near infrared absorbing dye having the same chemical formulae as recited in instant claims 3-4, 10-15 (see example 9; col. 35).

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2, 5-11, 16-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Yabuki (US Pat. 6,307,671).

In regards to claims 1-2, 11, 27, Yabuki teaches an optical filter for a plasma display panel, the optical filter comprising a transparent substrate (support), an infrared shielding layer, and a filter layer; wherein the infrared shielding layer contains a resin mixture containing a near infrared absorbing dye (see abstract; col. 1, ln. 12-16; col. 56, ln. 1; col. 74, ln. 1-14), and the filter layer contains a combination of dyes absorbing a wavelength range of 560-620 nm and near-infrared region, and a binder polymer (an adhesive) (see col. 71, ln. 10-27).

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In regards to claims 9-10 and 25-26, Yabuki teaches the transparent substrate being made from polycarbonate or polyesters (see col. 55, ln. 52-54).

In regards to claims 5-8 and 16-24, Yabuki teaches the dye absorbing a wavelength range of 560-620 nm having the same formulae as recited in the instant claims (see col. 61-col. 69).

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thao T. Tran whose telephone number is 703-306-5698, or 571-272-1080 (after about 12/04/03). The examiner can normally be reached on Monday-Friday, from 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on 703-308-2462. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

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October 19, 2003



James J. Seidleck
Supervisory Patent Examiner
Technology Center